

District V Advisory Board
Meeting Minutes
June 02, 2008
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The **District V Advisory Board Meeting** was held at 6:30 p.m. at the Auburn Hills Golf Course Clubhouse, 443 S. 135th St. W. In attendance were eight (8) District Advisory Board members, six (6) staff and eight (8) citizens with five (5) signing in.

Members Present

Councilman Jeff Longwell
David Dennis
Joey Ellzey
Kelly Watkins
Bryan Frye
Mike Hill
Darrell Leffew
Dana Brown

Staff Present

Officer Francisco Tejeda, WPD
Officer Robyn Douty, WPD
Rob Raine, Finance
Kelly Carpenter, Finance
Bill Longnecker, Planning
Megan Buckmaster, Neighborhood Assistant

Members Absent

Clarke Sandberg
Jay Flinn
Mike Bell
Jay Buckmaster
Logan Fritz- Youth Member
Pat Ream- Alternate

Guests

listed on last page

Order of Business

Call To Order

The meeting was called to order at 6:36 p.m.

Motion was made to approve the minutes from the May 05, 2008 meeting. Motion passed 7-0.

Motion was made to approve the agenda for the June 02, 2008 meeting. Motion passed 7-0.

Public Agenda

1. Scheduled items

No scheduled items

2. Off Agenda items

* See below

Staff Presentations

3. Community Police Report

Officer Francisco Tejada, Community Police reported on crime stats on beats: 16, 18, 19, and 199. **Beat 16:** Auto larceny in apartment complex parking lots has decreased. There has been no activity at the Wichita Ballroom. **Beat 18:** The homicide that took place at Lightening Joes is still an open case. **Beat 19:** There is a crime trend at the apartment complex at 8626 West Westlawn. Thieves are going through a back door entrance which is hidden from observation by neighbors. There is also a graffiti problem that is being worked by police in partnership with OCI. **Beat 199:** There have been several school larceny cases for copper theft. Police are increasing their monitoring and education in those areas. Construction site larceny continues. Many tools are left behind at sites luring thieves in. The crime trend involving unlocked or open garage doors continues- 65% of residential burglaries are from open or unlocked garage doors.

Bryan Frye asked about the permission of vehicle, motor home and large screen television sales at the corner of 29th St. N and Ridge Road. **Officer Tejada** responded he would give the concern to **Officer Lori Kimrey** who is assigned to that beat 199. **Megan Buckmaster** will check with OCI for zoning on that parcel.

Joey Ellzey, Maple Dunes HOA, reported problem at his neighborhood pool. There are youth under the age of 18 without adult supervision and after pool hours. He asked for extra patrol in the area.

Action: Receive and file.

New Business

1. Property Tax Relief

Rob Raine, Finance, presented information on the Property Tax Relief Proposal: to shift City taxes; lower the property and tax and increase the sales tax. He went through a power point presentation which detailed Mill Levy examples from other cities and how lowering property tax and implementing a city sales tax would affect city residents. Some key points brought up were: 1. The City of Wichita has maintained a stable tax rate. City leaders have been faithful to their pledge of keeping tax rates down. 2. Of first class cities there are only 3 cities without a city wide sales tax- Coffeyville, Newton and Wichita. 3. This is a business friendly proposal that will lead to economic growth and development.

David Dennis asked for clarification on tax shift examples: a \$100,000 home would save \$196 per year. What would a citizen earning \$50,000 spend in sales tax with a city sales tax? Where is the deficit coming from? **Raine** responded that we would receive the deficit dollars through the sales tax from people outside Wichita shopping in Wichita. **Dennis** suggested adding a chart in the presentation about the affect on the average citizen. **Raine** took note of the suggestion.

Kelly Watkins asked what would stop the City Council from raising the Mill Levy in the future. **Raine** responded the current council has a reputation of not raising taxes.

Mike Hill commented that even though the City will keep taxes low, the County will keep taxes low, a homes' assessed value will still increase.

Dana Brown commented about the other scenario- a homes' assessed value decreasing. Which is worse?

Dennis commented if the County sees that the Mill Levy is decreasing how citizens are protected from the County not increasing the County sales tax. **Raine** responded that the county will gain more \$ from the City implementing a City tax; therefore the likelihood of them increasing the County tax is low.

CM Longwell made several comments: Regarding property tax delinquency. It is harder to be delinquent in sales tax than property tax therefore we will see less property tax delinquencies. 2. Wichita would gain more \$ by picking up the people that currently come into the City that use city services that do not pay for city services. 3. As more business move into the city, City leaders can lower the Mill Levy even more. We need to build the right climate to attract new business to Wichita.

Darrell Leffew commented on the affect of lower retail sales reports. **Raine** responded that this proposal creates more volatile revenue and the City would need to build up a cash balance to cover revenue shortages.

Public comment: the question was raised regarding implementing a city income tax rate in lieu of a city sales tax. Raine responded the state of Kansas would have to create a new taxing authority to the local government of Wichita in order to implement city income tax. He does not see that happening.

Ellzey asked where the cost of promoting this proposal to the public come from. Raine responded that the City would have to appropriate funds or there is a large possibility that the business sector would fund this type of campaign.

Greg Farris provided several comments: 1. The City sales tax issue was brought up several years ago but discussion stopped at the City Manager's office. 2. Cities who do not implement a city sales tax are punishing themselves. 3. The Council should consider trying to change legislation. 4. Property tax should be done away with completely and a 2% City sales tax implemented.

Action: Receive and file.

Dennis asked the Board to re-open the Public Agenda items due to a citizen arriving to the meeting late. The Board approved.

***(from Public Agenda) Off Agenda items:**

Bob Bulman, 2630 N. Northshore commented that the issue he wanted to bring up to the DAB

was taken care of by City staff prior to the meeting. He commented that if he needed to, he would return to the DAB group on a later date.

New Business (continued)

2.CON2008-00022

Bill Longnecker, Planning, presented information on the City Conditional use request to permit a wireless communication facility: 120- foot monopole, wireless cell phone tower. Current zoning is SF-5 (Single Family residential). He reviewed the planning staff report and commented that condition #6 in the staff report has been met by the applicant. **Longnecker** pointed out a concern with the land; it is in a current flood zone near Calfskin. Site plans need to be submitted to the Stormwater Engineer. Approval of the request would be contingent on approval from Stormwater. **Longnecker** commented that the MAPC and the Park Board both approved.

General location: east of 119th Street West and south of Maple Street.

CM Longwell asked where the lease \$ go- Park Board or City Budget. **Greg Farris**, agent for the applicant, responded that the \$ goes into the City's general fund.

Greg Farris, agent for the applicant, presented on the request. He remarked that T- Mobile had approached the area to the west and there was no interest. He met with the Park Department, the park Board and the Stormwater Engineer. The City is under new mapping for floodway and flood zones. This site will be out of the floodway in the 100 year flood plain. This plan will go through 6 months of proving to the FCC there will be no harm to the land or environment. Before there is any construction of a tower all approvals will be met: Park Board, a lease with the City, zoning.

Dana Brown asked if the tower will be a monopole and what is the average size of a tower in Wichita. **Farris** responded, as stated in the staff report, it will be a 120 foot monopole and the average tower size in Wichita is about 140 feet.

A motion to recommend approval of the request subject to conditions listed in the staff report was made. The motion passed with a vote of 7-0.

Action: to move forward to City Council for vote.

3.ZON2008-00022

Bill Longnecker, Planning, presented information on the request for a city zone change from "SF-5", Single Family Residential to "LC", Limited Commercial. Longnecker reviewed the staff report with emphasis on the protective Overlay conditions. He noted that according to the 2003 Land Use Map for the City of Wichita all properties are shown as appropriate for local commercial zoning. This request was approved by the MAPC.

General location: southeast corner of Ridge Road and University Avenue.

Ellzey questioned the property/ property owner responsibility; one of the addresses listed in the request is currently in Environmental Court. **Ellzey** would like the current property brought up to code before granting new zoning approval. **Longnecker** responded that he had not encountered this before and would speak to OCI and Law.

Brown asked about traffic flow/ control. **Longnecker** responded that access to the south subject lot is from Ridge Road South, a residential cul-de-sac. The north subject lot has access to Mid-Continent Road, a principal arterial, and the residential street University Avenue, via a circular drive. The proposed LC zoning would generate commercial traffic from the subject site onto the residential streets they currently have access to and into the residential neighborhood the site is part of; complete access control to Ridge Road South is recommended. Complete access control onto University may be necessary.

Brown expressed her concern with traffic turning left from Ridge into site- creating a bottleneck in traffic. **Longnecker** responded there is no easy answer to this concern.

CM Longwell suggested it would be better to take 4 property lots for development rather than 2 at a time.

Phil Meyer, Baughman Co., agent for the applicant, made two comments: 1. The current resident is not the developer/ applicant. 2. As far as he knows, the developer has tried to purchase all 8 properties in area, without success.

George Weaver, 401 S. Summitlawn Drive, shared relevant information: 1. His property joins lot #8 on the plan drawing. He has not been approached by anyone to purchase his property. 2. He is in opposition to closing the cul-de-sac. 3. The current owners of the 2 lots in the request have been problematic. They purchased the properties only to resell them. No improvements have been made. 4. He feels all 8 properties should be included in this request.

Meyer noted that in the pasty other developers have tried to put all 8 or even 4 of the properties together for a sale and it has not happened. A few of the homeowners have been a problem.

CM Longwell asked if the applicant has tried to negotiate the 2 lots to the east of the lots in the request. **Meyer** had no response. **Longwell** suggested the applicant try to make an offer on the 4 lots.

Leffew asked if the property owners and applicants could meet to start negotiations and if the applicant would defer their request for 1 month. **Meyer** responded possibly, but he cannot speak for the applicant.

Brown asked if planning had received any other resident concerns. **Longnecker** responded planning had received inquiries only- no concerns.

Longnecker pointed out that if the DAB voted to defer this case for 1 month, the property owners need to file a protest with the City against the MAPC approval. If an agreement between the property owners and the applicant is reached the protest can be withdrawn.

CM Longwell commented that Council has denied a zoning case for many reasons: traffic issues, residential protest, Council did not feel the proposed development was a good fit for the neighborhood, and council did not feel developing only 2 lots at a time was good practice.

Kelly Watkins asked the Board for advice on how to “vote” on such a request. **Dennis** responded the MAPC does not deny these types of cases- they are pro developer. The staff report fits every criterion for a MAPC vote. DAB groups recognize the “human side” of these cases. The Board can vote to defer the request for 30 days to give property owners and the applicant a chance to negotiate. If agreement is not reached when the request comes back to DAB, DAB can vote to move request forward to Council.

A motion to defer the request for 1 month and return to DAB in July. The motion passed with a vote of 7-0.

Action: Defer recommendation to move forward to Council vote for 1 month. Request to return to DAB on July 07, 2008.

Board Agenda

Board Updates and Issues

CM Longwell: Council is in the middle of City Manager negotiations. CM Longwell serves on a statewide long range transportation committee and would welcome any feedback, comments from DAB.

David Dennis: There is a water meter in front of his home now! Report back to DAB on citizen issue from May DAB meeting re: CUP2005-72. Lighting has been addressed; trash pickup time is being looked into.

Megan Buckmaster: There is a DAB Budget presentation scheduled for Thursday, June 26th from 6:30-8:00 p.m. at City Hall. Please RSVP attendance by June 20th.

Action: Receive and file.

With no further business, the meeting adjourned at 9:11 p.m.

Respectfully submitted,
Megan Buckmaster, Neighborhood Assistant

Guests

Jim Byrum	Westlink Neighborhood association
Jim Germolus	168 S. Maple Dunes Ct
George Weaver	401 S. Summitlawn
Bob Bulman	2630 N. Northshore
Phil Meyer	315 Ellis

